

CHAPTER 142

LABOR AND INDUSTRY

SENATE BILL 20-026

BY SENATOR(S) Fields and Cooke, Rodriguez, Bridges, Danielson, Ginal, Hansen, Lee, Moreno, Story, Tate, Todd, Williams A., Winter, Zenzinger, Garcia;
also REPRESENTATIVE(S) Singer and Exum, Arndt, Bird, Bockenfeld, Buckner, Buentello, Cutter, Duran, Esgar, Froelich, Gonzales-Gutierrez, Gray, Herod, Jackson, Jaquez Lewis, Lontine, Michaelson Jenet, Mullica, Roberts, Sirota, Titone, Valdez A., Valdez D., Weissman, Young.

AN ACT

CONCERNING ELIGIBILITY FOR WORKERS' COMPENSATION BENEFITS FOR WORKERS WHO ARE EXPOSED TO PSYCHOLOGICALLY TRAUMATIC EVENTS, AND, IN CONNECTION THEREWITH, ESTABLISHING THAT A WORKER'S VISUAL OR AUDIBLE EXPOSURE TO THE SERIOUS BODILY INJURY OR DEATH, OR THE IMMEDIATE AFTERMATH OF THE SERIOUS BODILY INJURY OR DEATH, OF ONE OR MORE PEOPLE AS THE RESULT OF A VIOLENT EVENT, THE INTENTIONAL ACT OF ANOTHER PERSON, OR AN ACCIDENT IS A PSYCHOLOGICALLY TRAUMATIC EVENT FOR THE PURPOSES OF DETERMINING THE WORKER'S ELIGIBILITY FOR WORKERS' COMPENSATION BENEFITS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 8-41-301, **amend** (3)(b)(II)(B) and (3)(b)(II)(C) as follows:

8-41-301. Conditions of recovery - definitions. (3) For the purposes of this section:

(b) (II) "Psychologically traumatic event" also includes an event that is within a worker's usual experience only when the worker is diagnosed with post-traumatic stress disorder by a licensed psychiatrist or psychologist after the worker experienced exposure to one or more of the following events:

(B) The worker visually OR AUDIBLY, OR BOTH VISUALLY AND AUDIBLY, witnesses a death, or the immediate aftermath of the death, of one or more people as the result of a violent event; or

(C) The worker repeatedly AND EITHER visually OR AUDIBLY, OR BOTH VISUALLY AND AUDIBLY, witnesses the serious bodily injury, or the immediate aftermath of the

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

serious bodily injury, of one or more people as the result of the intentional act of another person or an accident.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 29, 2020